CF 10d (1)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO 860 OF 2004.

PETITIONER

Abdullah Ansari S/o Shekh Mohammad , aged about 30 year Residence of Gram - Seetapur Distt-Sarguja (C.G.)

P. R. No. 8481 dt. ... Presented by Shri ... dated 17-12-04

VERSES

RESPONDENT

1. State of C.G. Through : Secretary Public Administration and Development, D.K. Bhawan, Raipur (C.G.)

2. Municipal Corporation. Through : Commissioner Ambikapur (C.G.)

3. Divisional Deputy Director Public Administration and Development, Bilaspur Division Bilaspur (C.G.)

SERVED COPY 17.3.04 Clerk to A.G. Bilaspur

शपथ आयुक्त एस.के. शर्मा बिलासपुर तहसील कोर्ट 18/12/04

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. No. 860/2004

मामला क्रमांक ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	23.9.2005 Dr. Shailesh Ahuja, Advocate for the petitioner. Shri Arun Sao, Deputy Govt. Advocate for the Respondents No. 1 and 3. Shri Saurabh Sharma, Advocate and Shri S. R. J. Jayaswal, Advocate for the Respondent No.2. Heard. Learned counsel for the petitioner submits that the petitioner being handicapped applied for the post of Upper Division Teacher and was appointed in the Nagarpalika Uchchtar Madhyamik Shala, Ambikapur. The Respondent No.2 resolved on 2.5.2001 (Annexure P/3) in the meeting of the President-in-Council to recommend the name of the petitioner (handicapped) to the Govt. for approval of his appointment. Learned counsel appearing for the Respondent No.2 submits that the Municipal Corporation has not received any confirmation or approval from the Respondent No.1, despite its letter seeking approval of the appointment of the petitioner. The petitioner has annexed the documents wherein it is stated that the information with regard to the application of the petitioner dated 26.9.2003 could not be given to the petitioner being one year old. It is not clear as to in what respect the information was sought and why the Respondent No.2 had declined to give such information.	

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. No. 860/2004

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश – 2 –	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

On 26.4.2004 the Govt. Advocate received notice on behalf of the Respondent No.1 and the matter came up for hearing after a period of more than a year, on 5.9.2005, when learned counsel for the Respondents No. 1 and 3 sought two weeks time to file reply. After two weeks the matter is taken up today for hearing, the same prayer is made for adjournment. However, learned counsel for the respondents No. 1 and 3 has no reply as to why the letter of the Respondent No.2 seeking confirmation of the appointment of the petitioner was not responded till date. It is deemed that the confirmation must have been granted, because no reply has been sent to the Municipal Corporation, Ambikapur for about 4 years.

In view of the foregoing, the Respondents No. 1 and 3 are directed to take steps for granting confirmation immediately in case the confirmation had not been granted till date.

For the reasons stated above, the petition is allowed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

29.9.05 20.9.05